

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IKB INTERNATIONAL S.A. IN
LIQUIDATION and IKB DEUTSCHE
INDUSTRIEBANK AG,

Plaintiffs,

v.

JPMORGAN CHASE & CO.; JPMORGAN
CHASE BANK, N.A.; J.P. MORGAN
SECURITIES LLC; J.P. MORGAN
MORTGAGE ACQUISITION CORPORATION;
J.P. MORGAN ACCEPTANCE
CORPORATION I; CHASE HOME FINANCE
LLC; EMC MORTGAGE CORPORATION;
STRUCTURED ASSET MORTGAGE
INVESTMENTS II INC.; BEAR STEARNS
ASSET BACKED SECURITIES I, LLC; BEAR
STEARNS & CO. INC.; CARRINGTON
HOLDING COMPANY, LLC; CARRINGTON
CAPITAL MANAGEMENT L.L.C.;
CARRINGTON SECURITIES, LP; and
STANWICH ASSET ACCEPTANCE
COMPANY, L.L.C.,

Defendants.

12-cv-04617 (LTS)(KNF)

ECF CASE

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying declaration of Dorothy J. Spenner, dated October 19, 2012, and the exhibits attached thereto, the accompanying memorandum of law in support of this motion, and any other submissions that shall be made in support of this motion, the undersigned counsel, on behalf of the JPMorgan Defendants¹

¹ The JPMorgan Defendants are JPMorgan Chase & Co., JPMorgan Chase Bank, N.A., J.P. Morgan Securities LLC, formerly known as J.P. Morgan Securities Inc., J.P. Morgan Mortgage Acquisition Corporation, J.P. Morgan Acceptance Corporation I, Chase Home Finance LLC, EMC Mortgage Corporation, Structured Asset Mortgage Investments II Inc., Bear Stearns Asset Backed Securities I, and Bear Stearns & Co. Inc.

and the Carrington Defendants² (together, “Defendants”), will move this Court, before the Honorable Laura T. Swain, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007, on a date and time to be determined by the Court, to dismiss the Consolidated Complaint, in its entirety and with prejudice, pursuant to Rules 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure.

Pursuant to the individual practices of the Honorable Laura T. Swain, Defendants certify, through counsel, that they have used their best efforts to informally resolve the matter contained in this submission and the Consolidated Complaint has not been amended in response to the arguments raised in the motion.

Dated: New York, New York
October 19, 2012

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² The Carrington Defendants are Carrington Holding Company, LLC, Carrington Capital Management L.L.C., Carrington Securities, LP, and Stanwich Asset Acceptance Company, L.L.C.